(116)

HIGH COURT OF JUDICATURE AT BILASPUR : CHHATTISGARH

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION NO. 1136 OF 2002

PETITIONERS:

1. Priyadarshini Co-operative Housing Society Ltd., at 445-B, Priyadarshini Nagar, Raipur, through its president Shri Rajesh Shrivastava, Raipur, C.G.

2. Ramanuj, aged 52 yrs., s/o Shri Jagannath Prasad Tiwari, r/o house no. 369-A, Priyadarshini Nagar, Raipur. C.G.

3. Mrs. Rohini, aged 48 yrs. w/o Shri Udai Chimote, r/o house no. 356, Priyadarshini Nagar, Raipur, C.G.

4. Sudhakar aged 60 yrs. s/o Shri Mukandrao Athale, r/o house no. 491, Priyadarshini Nagar, Raipur, C.G.

5. Dr. Laxminarayan aged 62 yrs. s/o late Shri Govindlal Gupta, r/o house no. 478, Priyadarshini Nagar, Raipur, Chhattisgarh.

Versus

RESPONDENTS

1. State of Chhattisgarh, through Secretary to the Dept. of Home Affairs, D.K. Bhawan Secretariate, Raipur, Chhattisgarh

2. Joint Director, Town and Country Planning, R.D.A. Building, Sharda Chowk, Raipur, C.G.

3. Superintendent of Police, Raipur, Chhattisgarh.

4. G. Pramod Naidu s/o late Shri G.L.Naidu, r/o 474, Priyadarshini Nagar, Raipur, C.G.

Present : Shri Bhishma Kinger, learned counsel for the petitioners.
Shri Vinay Harit, learned Dy. A.G. for the respondents 1 to 3.
Shri Ashish Shrivastava, learned counsel for respondent No.4.

(ORAL ORDER)
(Passed on 31st July, 2006)

In this writ petition, enforcing any public law obligation against the State or State Authorities is not involved. It is the case of the petitioner that the 4th respondent highhandedly has been interfering with the land owned by the first petitioner-society. It is not the contention of the learned counsel for the petitioner that the first petitioner-society is a 'State' within the meaning of Article 12 of the Constitution or an authority for the purpose of Article 226 of the Constitution. If these are the facts, the petitioners have to workout their legal remedies by way of private law review before the jurisdictional civil Court. Reserving that liberty to the petitioner, writ petition is dismissed. No costs.

Sd/-
Chief Justice